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MEMO ENDORSED

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November 3, 2020

Via Email

Filed Under Seal

The Honorable Valerie E. Caproni
United States District Court Judge
Thurgood Marshall US Courthouse
40 Foley Square
New York, NY 10007

Re: *United States v. Burgos et al., (Odalys Rojas)*
20 cr 182 (VEC)

Dear Judge Caproni:

I represent Odalys Rojas in the above matter. Your Honor has scheduled an “in person” sentencing hearing for Mr. Rojas for Thursday, November 12, 2020. I am respectfully requesting that the hearing be conducted *via* video conference, just as his plea hearing was conducted on July 23, 2020. Mr. Rojas’ health is deteriorating, and considering the COVID-19 pandemic, he is concerned to conduct this hearing in court. Assistant United States Attorney Julianna Murray has no objection to this request. I am enclosing the attached signed waiver of his presence in court, that I have reviewed thoroughly with Mr. Rojas, and to which he has authorized me to sign on his behalf, should Your Honor grant this request. Your Honor’s time and consideration of this request is greatly appreciated. Please advise if Your Honor requires any additional documents or information to support this request.

Respectfully submitted,

s/

Lorraine Gauli-Rufo
Attorney for Odalys Rojas

Enclosure
cc: Juliana Murray, AUSA
(with enclosure)

Application DENIED. The Court sympathizes with Mr. Rojas' health conditions and his concerns about contracting COVID-19. But the Court also recognizes the importance of conducting criminal proceedings -- especially sentencings -- in person. The Court ensures the Defendant that the Southern District of New York ("SDNY") has taken many precautions to mitigate the risk of contracting the coronavirus at the courthouse. These measures are outlined in SDNY Standing Order 20 MC 138, last updated on October 26, 2020.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni", is written over a horizontal line.

Date: November 6, 2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE